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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/018,502

02/25/2002

Kimmo Narkilahti

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12/24/2009

SQUIRE, SANDERS & DEMPSEY L.L.P.

8000 TOWERS CRESCENT DRIVE

14TH FLOOR

VIENNA, VA 22182-6212

EXAMINER

KAMPURIA, SHARAD K

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

12/24/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/018,502

Applicant(s)

NARKILAHTI ET AL.

Examiner

SHARAD RAMPURIA

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/200)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-24 are rejected under 35 U.S.C. 102 (e) as being anticipated by **Patel; Achal R.**
[US 6850764 *Priority from Provisional Application* 60/112748].

Regarding Claim 1, **Patel** discloses method for determining the behavior patterns of users of a telecommunication system on the basis of information collected from the telecommunication system, (Abstract, Col.2; 44-59), the method comprising;

Defining at least one variable or a combination of variables of the telecommunication,
(Col.7; 24-54, Col.8; 6-18 and Col.8; 50-63)

Filtering user-specific information corresponding to the defined at least one variable or a combination of variables from the information collected from the telecommunication system,
(e.g. filter; Col.12; 56-Col.13; 5)

classifying the users of the telecommunication system based on the filtered user-specific information into various classes indicative of a user's behavior patterns during use of the

telecommunication system. (e.g. classifying the users; Col.7; 62-Col.8; 5, Col.3; 39-65 and Col.12; 56-Col.13; 5).

Regarding Claim 2, Knight discloses a method according to Claim 1, characterized in that said user-specific information is filtered from the telecommunication system in real time. (e.g. real time; Col.15; 59-Col.16; 39)

Regarding Claim 3, Knight disclose a method according to Claim 1, characterized in that after said filtering of information the filtered information is saved for later analysis. (e.g. analysis; Col.11; 34-Col.12; 20)

Regarding Claim 4-6, Knight discloses a method according to Claim 1, characterized in that after the classification; statistical analysis is carried out on the classified information (e.g. analysis; Col.11; 34-Col.12; 20).

Regarding Claim 7, Knight discloses the method of claim 1, wherein the classifying comprises classifying the users into the various classes indicative of a user's classes of behavior patterns defined in connection with the definition of variables (e.g. classifying the users; Col.7; 62-Col.8; 5, Col.3; 39-65 and Col.12; 56-Col.13; 5).

Regarding Claim 8, Knight discloses a method according to Claim 1, characterized in that the definitions of the classes of behavior patterns used in the classification of users are changed (e.g. providing hierarchical information based on user's group; Col.44; 43-52).

Regarding Claim 9, Knight discloses a method according to Claim 8, characterized in that said filtered unclassified information is classified into said new classes of behavior patterns (e.g. providing hierarchical information based on user's group; Col.44; 43-52).

Regarding Claim 10, Knight discloses a method according to Claim 1, characterized in that at least one of the variables is the type of contract of the user (e.g. classifying the users; Col.7; 62-Col.8; 5, Col.3; 39-65 and Col.12; 56-Col.13; 5).

Regarding Claim 11, Knight discloses a method according to Claim 1, characterized in that at least one of the variables is the type of system service. (e.g. Col.7; 24-54, Col.8; 6-18 and Col.8; 50-63)

Regarding Claim 12, Knight disclose a method according to Claim 1, characterized in that said telecommunication system is a mobile communication system (Col.5; 3-9)

Claims 13-18 system claims, corresponding to **method** Claims 1-3, 9-10, 12 respectively, and rejected under the same rational set forth in connection with the rejection of Claims 1-3, 9-10, 12 respectively, above.

Claims 19-24 system claims, corresponding to **method** Claims 1-3, 9-10, 12 respectively, and rejected under the same rational set forth in connection with the rejection of Claims 1-3, 9-10, 12 respectively, above.

Response to Amendments & Remarks

Applicant's arguments with respect to claims 1-24, have been fully considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870. The examiner can normally be reached on M-F. (8:30-5 EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on (571) 272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sharad Rampuria/
Primary Examiner
Art Unit 2617